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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

NEW JERSEY COALITION OF  
AUTOMOTIVE RETAILERS, INC.,

Plaintiff,

v.

MAZDA MOTOR OF AMERICA, INC.

Defendant.

**Case No. 3:18-cv-14563-BRM-TJB**

Motion Day: December 3, 2018

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the Complaint herein, the accompanying declaration of Kyle Kaczmarek, dated November 8, 2018, and the exhibits thereto, and the accompanying Defendant's Brief in Support of Motion to Dismiss, dated November 8, 2018, defendant Mazda Motor of America, Inc., d/b/a Mazda North American Operations, shall move this Court, before the Honorable Brian R. Martinotti, United States District Judge, on December 3, 2018, or as soon

thereafter as the Court permits, for an order pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure dismissing the Complaint for lack of standing.

Dated: November 8, 2018

Respectfully submitted,

/s/ Brian D. Sullivan

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